1952.

File No. O Okha Port 52

Legal Department

A BRANCH

p.2 (E)

Subject:— Opinions regarding Okha Port - Rules

C O N T E N T S.

Legal Department File No. O.Okha Port/52.

Sr.No.	R.I./O.No.	Subject.	Pages.
		Opinions regarding Okha Port Rules.	
1).	1839 31-3-52.	Duty paid by M/s. Chunilal Haridas & Co. at the Okha Port Rules — whether it should be paid on weekly or on a monthly basis ——	1.

Office of the E.i.A.

Cabo Fort Rules.

It is true that the new schedule of rates came into operation with effect from 21st November 1949 but this new schedule not being expressly stated to be retrospective would not affect the previous rights, if any, vesting in a party. (see Maxwell page 190). In the present case Messrs. Chandulal Haridas & Co. had paid the necessary duties prior to 21st November 1949 and were thus entitled to a free storage of cement for a period of six months, that is to say, up to 12th April 1950. That right of free storage for the period would not in any way be affected by the new schedules of rates. Consequently, Messrs. Chandulal Haridas & co, would not be liable to pay the rent for the storage up to 12th April 1950. Thereafter they were not given any option to elect whether they should be charged on a monthly basis or on a weekly basis. The Port Officer in his letter at page 51 ante, has stated that the party would be prepared to pay warehouse rent on a weekly basis from 12th April 1950. If so, Messrs, Chandulal Haridas & Co. would be liable to pay rent on a weekly basis instead of on a monthly basis.

P.M.HD.
31-3.

Remembrancer of Legal Affairs.

U.R. to P.W.D., No. 4999, dated the 31st March 1952.

SMR/13.6.